

Rec'd 10/17/07
LEBPROB 12C
Rev 2/03**United States District Court**

for

Southern District of Ohio**Petition for Warrant or Summons for Offender Under Supervision**Name of Offender: **Julie Anne Italiano**Case Number: **1:02CR00120**Name of Sentencing Judicial Officer: **The Honorable Herman J. Weber, United States Senior District Judge**Date of Original Sentence: **February 4, 2002**Original Offense: **Conspiracy to Possess with Intent to Distribute Cocaine, a Class C Felony, in violation of 21 U.S.C. §§ 846 and 841(a)(1) and (b)(1)(C)**Original Sentence: **366 day(s) prison, 36 month(s) supervised release**

(The Court revoked Italiano's term of supervised release on December 15, 2005 and sentenced her to the custody of the Bureau of Prisons for nine months and one year of supervised release.)

Type of Supervision: **Supervised Release**Date Supervision Commenced: **November 7, 2006**

Assistant U.S. Attorney: To be assigned

Defense Attorney: To be assigned

PETITIONING THE COURT

- ☒ To issue a warrant
☐ To issue an Order to Appear and Show Cause
☐ To grant an exception to revocation without a hearing.

Violation NumberNature of Noncompliance

#1

Standard Condition: You shall report to the probation officer as directed by the Court or probation officer, and shall submit a truthful and complete written report within the first five days of each month.

Italiano failed to report to the United States Probation Office for a scheduled office visit with this officer on October 2, 2007. Furthermore, she failed to submit a supervision report for September 2007 by October 5, 2007.

#2

Standard Condition: You shall notify the probation officer ten days prior to any change of residence or employment.

On October 3, 2007, Italiano was evicted from her residence located at 300 Lytle Street, Room #333, Cincinnati, Ohio 45202. Italiano failed to advise this officer that she was evicted from this residence. Additionally, she has not reported a new address to this officer and her current whereabouts are unknown.

#3

Standard Condition: You shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.

Italiano submitted a urine sample to the Butler County Adult Probation Department on December 5, 2006 that tested positive for cocaine. On August 10, 2007, Italiano submitted a urine sample at the United States Probation Office that tested positive for cocaine.

#4

Special Condition: The defendant shall participate in a substance abuse program which includes random drug testing at the direction of the probation officer.

Italiano failed to report to the United States Probation Office on September 27, 2007 and October 9, 2007 to submit to drug testing.

Pursuant to 18 U.S.C. § 3583, mandatory revocation is applicable if the defendant refuses to comply with drug testing imposed as a condition of supervised release.

U.S. Probation Officer Recommendation: In December 2005, the Court revoked Italiano's original term of supervised release for drug use and drug possession. She was sentenced to nine months in the Bureau of Prisons and one year of supervised release. Italiano was released from the Bureau of Prisons in August 2006. She was released to the Butler County Jail on a detainer for a pending charge. In November, she was placed on community control by the Butler County Court of Common Pleas for convictions of Trafficking in Cocaine and Permitting Drug Abuse. She was released from Butler County Jail and commenced her second term of supervised release on November 7, 2006. On December 26, 2006, the Butler County Adult Probation Office arrested Italiano for cocaine use. The Butler County Court of Common Pleas found Italiano guilty of a community control violation on January 22, 2007 and ordered her to complete the River City Correctional Treatment Center. Italiano entered the River City Program on February 8, 2007. She successfully completed the program on June 27, 2007. Upon her release from River City, Italiano secured an apartment at the Anna Louise House, located at 300 Lytle Street in Cincinnati, Ohio. Italiano's adjustment to supervised release was good until she tested positive for cocaine on August 10, 2007. On September 18, 2007, this officer met with Italiano in Hamilton, Ohio. During the meeting, she requested permission to reside in Hamilton, Ohio. This officer informed her that she was not permitted to move at this time because it was not in the best interest of her recovery. Subsequently, Italiano failed to report to the United States Probation Officer on September 27, 2007 and October 9, 2007 to submit to drug testing. She also failed to attend a scheduled office visit with this officer on October 2, 2007. On October 3, 2007, Italiano was evicted from the Anna Louise House. Italiano has not provided this officer with an address. Furthermore, she has not responded to numerous telephone messages left by this officer. Thus, it is respectfully recommended that a warrant be issued for Italiano's arrest to address these violations.

RE: ITALIANO, Julie

The term of supervision should be

- ☒ Revoked.
☐ Extended for years, for a total term of years.
☐ Continued based upon the exception to revocation under 18 USC 3563(e) or 3583(d)
☐ The conditions of supervision should be modified as follows:

I declare under penalty of perjury that
the foregoing is true and correct.

Executed on October 17, 2007**Mark Grawe**

U.S. Probation Officer

by

**John Cole**

Supervising U.S. Probation Officer

Date: **October 17, 2007**

THE COURT ORDERS:

- ☐ No Action
☒ The Court finds that there is probable cause to believe the defendant has violated the conditions of his/her probation/supervised release and orders the Issuance of a Warrant for his/her arrest.
☐ The Issuance of an Order to Appear and Show Cause
☐ The Court finds the defendant can benefit from continued substance abuse treatment and grants an exception to revocation. The supervision term of the defendant is continued under all original terms and conditions.
☐ Other


Signature of Judicial Officer

Date

10/18/07